



March 19, 2003

ENGROSSED HOUSE BILL No. 1282

DIGEST OF HB 1282 (Updated March 18, 2003 11:45 AM - DI 71)

Citations Affected: IC 9-19.

Synopsis: Tinted or treated windows in motor vehicles. Makes it a Class B infraction for a person to cover or tint a motor vehicle window in a manner that the occupants of the vehicle cannot be easily identified or recognized through that window from outside the vehicle, with a medical exception.

Effective: July 1, 2003.

Harris, Goodin, Lutz J

(SENATE SPONSORS — WYSS, SMITH S)

January 13, 2003, read first time and referred to Committee on Roads and Transportation.

January 28, 2003, amended, reported — Do Pass.

February 6, 2003, read second time, amended, ordered engrossed.

February 7, 2003, engrossed.

February 10, 2003, read third time, passed. Yeas 80, nays 17.

SENATE ACTION

February 11, 2003, read first time and referred to Committee on Transportation and Homeland Security.

March 18, 2003, reported favorably — Do Pass.

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EH 1282—LS 6036/DI 96+



March 19, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1282

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-19-19-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) This section does
3 not apply to a manufacturer's tinting or glazing of motor vehicle
4 windows or windshields that is otherwise in compliance with or
5 permitted by FMVSS205 as promulgated in 49 CFR 571.205. Proof
6 from the manufacturer, supplier, or installer that the tinting or glazing
7 is in compliance with or permitted by FMVSS205 must be carried in
8 the vehicle.
9 (b) This section does not apply to the driver of a vehicle:
10 (1) that is owned by an individual required for medical reasons to
11 be shielded from the direct rays of the sun; or
12 (2) in which an individual required for medical reasons to be
13 shielded from the direct rays of the sun is a habitual passenger.
14 The medical reasons must be attested to by a physician **or optometrist**
15 licensed to practice in Indiana, and the physician's **or optometrist's**
16 certification of that condition must be carried in the vehicle. The
17 physician's **or optometrist's** certificate must be renewed annually.

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(c) A person may not drive a motor vehicle that has a:

- (1) windshield;
- (2) side wing;
- (3) side window that is part of a front door; or
- (4) rear back window;

that is covered by or treated with sunscreening material or is tinted to the extent or manufactured in a way that the occupants of the vehicle cannot be easily identified or recognized through that window from outside the vehicle. However, it is a defense if the suncreening material applied to those windows has a total solar reflectance of visible light of not more than twenty-five percent (25%) as measured on the nonfilm side and light transmittance of at least thirty percent (30%) in the visible light range.

(d) A person may not tint or otherwise cover or treat with sunscreening the parts of a vehicle described in subsection (c) so that operation of the vehicle after the tinting or sunscreening is performed is a violation of subsection (c). However, it is not a violation of this chapter if this work is performed for a person who submits a physician's or optometrist's statement as described in subsection (b) to the person who is to perform the work.

SECTION 2. IC 9-19-19-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

- (1) contains parts and accessories; and
- (2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) Except as provided in section 8 of this chapter, a person who violates this chapter commits a Class C infraction.

SECTION 3. IC 9-19-19-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8. A person who violates section 4(d) of this chapter commits a Class A infraction.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1282, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 14, after "physician" insert "**or optometrist**".

Page 1, line 15, after "physician's" insert "**or optometrist's**".

Page 1, line 16, after "physician's" insert "**or optometrist's**".

Page 2, line 27, after "physician's" insert "**or optometrist's**".

and when so amended that said bill do pass.

(Reference is to HB 1282 as introduced.)

RESKE, Chair

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1282 be amended to read as follows:

Page 2, line 6, reset in roman "or is tinted to".

Page 2, reset in roman lines 7 through 8.

Page 2, line 9, reset in roman "outside the vehicle. However, it is a defense if the".

Page 2, line 9, delete "so that when the".

Page 2, line 10, after "material" delete "is".

Page 2, line 10, reset in roman "has".

Page 2, line 10, delete "there is".

Page 2, line 11, reset in roman "not".

Page 2, line 12, reset in roman "at".

Page 2, line 13, reset in roman "least".

Page 2, line 13, delete "less than".

Page 2, delete lines 14 through 21.

Page 2, line 22, delete "(e)" and insert "**(d)**".

Page 2, line 23, delete "subsections" and insert "**subsection**".

Page 2, line 23, delete "and".

Page 2, line 24, delete "(d)".

Page 2, line 25, delete "(c) or (d)." and insert "**(c)**".

Page 2, line 42, delete "(a)"

Page 3, line 1, delete "B" and insert "A".

Page 3, delete lines 2 through 3.

(Reference is to HB 1282 as printed January 29, 2003.)

HARRIS

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Homeland Security, to which was referred House Bill No. 1282, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1282 as reprinted February 7, 2003.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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EH 1282—LS 6036/DI 96+

